

MINUTES

NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION

EDUCATION AND TRAINING COMMITTEE

May 16, 2018

The Education and Training Committee of the North Carolina Criminal Justice Education and Training Standards Commission met in Room 1826 of the Public Safety Training Center, Wake Technical Community College, Raleigh, NC. Chair Stephanie Freeman called the meeting to order at 1:00 pm. Those in attendance were:

- *Stephanie Freeman, Appointment by the Governor- Correctional Officer-OSDT
- *Steve Johnson, Appointment by the General Assembly- Speaker of the House
- *Lee Farnsworth, NC Law Enforcement Officers' Association
- *Kenneth Mullen, NC Criminal Justice Association
- *Tracy McPherson, NC Community College System - Ex-Officio Member
- *Nathan Mizell, Jr., NC Law Enforcement Training Officers' Association
- *David Rose, Appointment by the Attorney General - Citizen
- *Bob Schurmeier, Director of NC State Bureau of Investigation
- Jane Gilchrist, General Counsel, NC Department of Public Safety
- Ricky Hooks, NC Department of Public Safety-NC State Highway Patrol
- *Jeff McCracken, NC Police Executives Association

Visitors

Chief William Hollingsed, NC Police Executives Association
Eddie Caldwell, NC Law Enforcement Officers Association
Erin Hickey, NC Department of Public Safety, ACJJ Juvenile Justice
Thomas Forrest, Pitt Community College, BLET School Director
Felicia Banks, NC Department of Public Safety, OSDT

Staff

Steven Combs, Director, NC Criminal Justice Standards Division
Michelle Schilling, NC Criminal Justice Standards Division
Charminique Williams, NC Criminal Justice Standards Division
Jason McIntyre, NC Criminal Justice Standards Division
Trevor Allen, Director, NC Justice Academy
Stacy Holloman, Deputy Director, NC Justice Academy
Tony Losada, NC Justice Academy
Dan Worley, NC Justice Academy
Jennifer Fisher, NC Justice Academy
Vicki Helms, NC Justice Academy

*Committee Members

WELCOME/ROLL CALL

Chairperson Stephanie Freeman welcomed members and guests. The meeting was called to order with the roll call and a quorum present.

MINUTES

Commissioner Stephanie Freeman and Commissioner David Rose requested the following changes to the February 2018 meeting minutes. Located on page 5, under Proposed Revision for State Exam Waiver, last paragraph from the bottom in the fourth sentence, remove the letter “R” from PROPAT and include the word “prior” within the sentence. The correction will reflect, “a trainee who sustains injury ***prior*** to the final ***POPAT*** attempt.”

A second request was for page 9, last paragraph from the bottom, on the second line, capitalize the letter “I”, in the word Inter-National, remove the hyphen and use a lower case for the letter “n”. The correction will reflect, “It’s an ***International*** Association made up all the post directors, training academy directors, trainers as well law enforcement associations worldwide.”

With no additional requests, Commissioner David Rose proposed a **motion** to accept the recommended changes for the February 2018 minutes with a **second** from Commissioner Nathan Mizell, **motion carried**.

COMMISSION ACTION

ADMINISTRATIVE CODE – PROPOSED RULE REVISION – BLET- REMOVAL OF BLET - UNIT 6: SHERIFF SPECIFIC

On behalf of the Criminal Justice Standards Division, Director Steven Combs presented the proposed rule change, requesting the removal of the Basic Law Enforcement Training, Unit 6 of the Sheriff-Specific from Municipal and State Agencies Training Academies that administer their own BLET course.

The request would require a rule change for the following rule:

- 12 NCAC 09B .0205 – Basic Law Enforcement Training
 - (A) Civil Process
 - (B) Sheriff’s Responsibilities – Detention Duties
 - (C) Sheriff’s Responsibilities – Court Duties

It has been suggested municipal and state agencies are not responsible for duties that fall under the Sheriff’s Specific Unit. The proposal is to allow agencies the option to remove Unit 6 from their BLET course. Director Steven Combs shared years ago individuals completing BLET were not aware of the agency they would be employed by until after completing the course. An individual would be required to take Unit 6 prior to being employed by a sheriff’s agency.

Commissioner McPherson and Commissioner Rose addressed the removal of Unit 6 from the BLET course and the possible solutions for the new implementation. Suggestions were provided for each scenario and a discussion was held on the positive and negative implications to continue administering the entire BLET test to include Unit 6. The issue on college partial enrollees was also addressed and Commissioner

McPherson stated that if the Sheriff's Standards Division provides a memo to show which students needed the required training, this would help solve the issue.

Director Combs shared that if agencies omit Unit 6, individuals may return for the required training if their employment is changed to a sheriff's agency. Those students will not be required to retake the entire BLET course, but take a newly developed test to cover Unit 6. Director Combs will check to confirm more details on this process. In addition, he shared the students will still be able to obtain a certificate reflecting the training received and the academic credits. Commissioner McPherson shared that colleges can reflect the proper credits on a student's transcripts by creating two (2) different course listings based upon the test and credited hours. Commissioner Mizell shared that the specific course selection can be determined during the pre-delivery.

Director Combs spoke with Diane Konopka, the Director of the Sheriff's Standard's Division, who assured they would be able to implement the requested change and track individuals who are required to take Unit 6 prior to employment. Sheriff's Standards is aware there will be a number of applicants needed tracking.

Commissioner Rose shared that some agencies partner with community colleges to deliver their own BLET training, while being managed by the local community college. He further suggested there are agencies that could omit the training and utilize the thirty-four (34) hours for specialized training. Commissioner McPherson suggested that the language should include "community colleges or all, any delivery agencies" to cover all situations. She also suggested the use of "accredited delivery agencies may elect to exclude" and "the course entitled the Basic Law Enforcement Training."

Commissioner Steve Johnson proposed to remove in part (b) "police departments and state agencies" and replace with "accredited delivery agencies may elect to exclude" and on Line 7 remove "state agencies and police departments" and replace with "accredited delivery agencies approved to facilitate"

After further discussions among various Commissioners, Commissioner Steve Johnson proposed a **motion** that the Commission hereby authorize the Planning and Standards Committee to conduct a rule making hearing to amend the rule, ***12 NCAC 09B .0205 – Basic Law Enforcement Training*** as follows:

- Paragraph (b) shall read as follows: "Accredited delivery agencies may elect to exclude (c) (6) Sheriff-Specific Unit. The course entitled "Basic Law Enforcement Training" shall consist of a minimum of 606 hours of instruction (c) (1-5), for accredited delivery agencies approved to facilitate the Commission-accredited Basic Law Enforcement Training course and shall include the following identified topical areas in subparagraph (c) and minimum instructional hours for each."
- Paragraph (c) shall read as follows: "All other institutions not identified in subparagraph (b) "Basic Law Enforcement Training" shall consist of a minimum of 640 hours of instruction and shall include the following identified topical areas and minimum instructional hours for each:"

Commissioner David Rose **seconded** the motion, **motion carried.**

ADMINISTRATIVE CODE – PROPOSED RULE REVISION – SRO MANDATED TRAINING

On behalf of the NC Attorney General, Director Steven Combs, Criminal Justice Standards Division, proposed to adopt a new rule to mandated “School Resource Officer Training” offered by the N.C. Justice Academy for all School Resource Officers.

The request would require to adopt the new rule as follows:

- 12 NCAC 09B .0313 – Training for School Resource Officers

The Attorney General has requested to mandate School Resource Officer Training to ensure all School Resource Officers complete a year of basic training due to an upcoming state law. Commissioner Steve Johnson shared members of the General Assembly planned a draft in legislation for new training developed for school safety officers that will be implemented by January 15, 2019 and required completion by September 2019.

Committee members discussed several issues and possible changes to the proposed language. Commissioner Stephanie Freeman suggested removing “certification” from the rule’s title since certification will not be tracked or maintained. Director Trevor Allen agreed to the suggested language change for the curriculum be “authored by” the Justice Academy to allow community colleges to utilize the lesson plans.

Commissioner Steve Johnson also suggested the title changed to “Training for School Resource Officer”, for section (b) to say, the SRO Training course as “authored” by the NCJA is to be applied as basic curriculum. Section (c) changed to say LEO assigned by their agency to perform duties as a SRO shall “have obtained” general certification as a LEO “from the NC Criminal Justice Training and Standards Commission or NC Sheriff’s Education and Training Standards Commission” and attend and separately complete “with a passing score” within one year after being assigned an a SRO or SRO training pursuant to 12 NCAC 09B .0313.

Having approved the recommendations as presented, Commissioner Steve Johnson proposed a **motion** that the Commission hereby authorize the Planning and Standards Committee to conduct a rule making hearing to adopt the rule, ***12 NCAC 09B .0313 – Training for School Resource Officers*** as follows:

- (a) The School Resource Officer training course for law enforcement officers shall be designed to provide the trainee with the skills and knowledge to perform in the capacity of a School Resource Officer. The course shall be for a period of not less than 40 hours.
- (b) The “School Resource Officer Training” course authored by the North Carolina Justice Academy is to be applied as basic curriculum for the school resource officer training course for law enforcement officers certified with the Commission.
- (c) Law Enforcement officers assigned by their agency to perform duties as a School Resource Officer shall:

- (1) have been issued general certification by the NC Criminal Justice Education and Training Standards Commission or NC Sheriffs' Education and Training Standards Commission, as a law enforcement officer; and
- (2) have completed, or complete within one year after being assigned as a School Resource Officer, the "School Resource Officer Training" course pursuant to paragraph (b) of this Rule.

Commissioner Nathan Mizell **seconded** the motion, **motion carried**.

ADMINISTRATIVE CODE - PROPOSED RULE REVISION – BLET - ADMISSIONS STANDARD – READING LEVEL REQUIREMENT

On behalf of the North Carolina Community College System, Commissioner Tracy McPherson presented the proposed rule change, amending the Admissions Standard for BLET – Reading Level Requirement.

The admission standard (Reading Standard for Basic Law Enforcement Training) was revised years ago when the commission approved the addition of the NC Diagnostic Assessment and Placement Test as an option. The community college system has now requested the NROC EdReady added as an option since colleges will transition to use a new assessment. Commissioner McPherson shared the college's subject experts provided the Standards Division the correlated information that adequately reflected the 10th grade level or higher to support the proposed revision.

The request would require a rule change for the following rule:

- 12 NCAC 09B .0203 – Admission of Trainees

Having approved the recommendation as presented, Commissioner Kenneth Mullen proposed a **motion** that the Commission hereby authorize the Planning and Standards Committee to conduct a rule making hearing to amend rule ***12 NCAC 09B .0203 – Admission of Trainees*** as follows:

- Add the following language to paragraph (e): "scores at or above mastery level on the NROC EdReady™ Skill Inventory for English or"
- Delete the following duplicated language at the end of paragraph (e): "within one year prior to admission to Basic Law Enforcement Training."

Commissioner Lee Farnsworth **seconded** the motion, **motion carried**.

ADMINISTRATIVE CODE – PROPOSED RULE REVISION – IN-SERVICE CHIEF'S CHOICE – NATIONAL CERTIFICATION PROGRAM

On behalf of the Criminal Justice Standards Division, Director Steven Combs presented the proposed rule change, to update the topics for 2019 In-Service, and requested In-Service Chief's Choice Credit for the National Certification Program administered by the

International Association of Directors of Law Enforcement Standards and Training (IADLEST).

The request would require a rule change for the following rule:

- 12 NCAC 09E .0105 – Minimum Training Specifications: Annual In-Service Training

Committee members discussed and suggested changes to the proposed language presented. Director Combs reiterated the proposal was to approve the National Certification Program (IADLEST) and possibly use training offered out-of-state for Chief's Choice. Jane Gilchrist suggested moving the proposed language, to line 23, before "to satisfy".

Having approved the recommendations as presented, Jane Gilchrist proposed a **motion** that the Commission hereby authorize the Planning and Standards Committee to conduct a rule making hearing to amend rule, ***12 NCAC 09E .0105 – Minimum Training Specifications: Annual In-Service Training*** as follows:

- Modify the language in paragraph (a) as follows: Change "18" credits to "20" credits.
- Modify the language in paragraph (a), subparagraph (1) as follows: Change the year from "2018" to "2019."
- Modify the language in paragraph (a), subparagraph (2) as follows: Change the year from "2018" to "2019."
- Modify the language in paragraph (a), subparagraph (3) as follows: Change the title from "2018 Strategies to Improve Law Enforcement Interactions and Relationships With Minority Youth" to "2019 Juvenile Law Update."
- Modify the language in paragraph (a), subparagraph (4) as follows: Change the title from "2018 Equality in Policing (4 credits)" to "2019 Individual Wellness: Coping with Stress & PTSD (2 credits)."
- Modify the following language in paragraph (a), subparagraph (5) as follows: Change the title from "2018 Communications Skills With Persons in Crisis – De-escalation Techniques (4 credits)" to "2019 Best Practices for Officers During Community Dissent (2 credits)."
- Paragraph (a), subparagraph (6) shall read as follows: "2019 Law Enforcement Intelligence Update: Gangs and Divisive Groups (2 credits)."
- Paragraph (a), subparagraph (7) shall read as follows: "2019 Domestic Violence: Law and Procedure Update (2 credits)."
- Paragraph (a), subparagraph (8) shall read as follows: "2019 Opioid Awareness and Response (2 credits)."

- Add the following language to paragraph (b) after the word “Section” on line 23: “and National Certification Programs administered by the International Association of Directors of Law Enforcement Standards and Training (IADLEST) completed during the mandated in-service year, shall satisfy in part or in whole the topic requirements set forth by the agency head.”

Commissioner Steve Johnson **seconded** the motion, **motion carried.**

ADMINISTRATIVE CODE – PROPOSED RULE REVISION – BLET

On behalf of the BLET Revision Committee, Jennifer Fisher, North Carolina Justice Academy, presented the proposed rule change to increase the hours on two (2) BLET topic blocks to four (4) hours each.

The request will affect the Domestic Violence Response and Traffic Crash Investigation blocks of instruction. School Directors requested additional hours to conduct practical role playing exercises in the Domestic Violence Response block and additional hours to the Traffic Crash Investigation block to allow information on rail road crashes, new videos, content and practical exercises. The change will total an increase of eight (8) additional hours added to the BLET program changing the hours from 632 to 640 hours. The effective date for implementation will be January 2019.

The request would require a rule change for the following rule:

- 12 NCAC 09B .0205 – Basic Law Enforcement Training

Having approved the recommendations as presented, Commissioner Lee Farnsworth proposed a **motion** that the Commission hereby authorize the Planning and Standards Committee to conduct a rule making hearing to amend the rule, ***12 NCAC 09B .0205 – Basic Law Enforcement Training*** as follows:

- Modify the language in paragraph (b) as follows: Change the hours from “632” to “640.”
- Modify the language in paragraph (b), subparagraph (2)(C) “Traffic Crash Investigation” as follows: Change the hours from “20” to “24.”
- Modify the language in paragraph (b), subparagraph (2) “UNIT TOTAL” as follows: Change the hours from “124” to “128.”
- Modify the language in paragraph (b), subparagraph (3)(B) “Domestic Violence Response” as follows: Change the hours from “12” to “16.”
- Modify the language in paragraph (b), subparagraph (3) “UNIT TOTAL” as follows: Change the hours from “76” to “80.”
- Modify the language in paragraph (b) “TOTAL COURSE HOURS” as follows: Change the hours from “632” to “640.”

Commissioner Nathan Mizell **seconded** the motion, **motion carried.**

Commissioner Steve Johnson shared this will alter the change the Committee previously agreed to regarding the first agenda item addressed in rule 12 NCAC 09B .0205.

COMMITTEE ACTION

BLET REVISION COMMITTEE

On behalf of the BLET Revision Committee, Jennifer Fisher, North Carolina Justice Academy, requested approval for major revisions to the BLET Training Curriculum.

Several revisions were made to the BLET blocks of instruction and most blocks had a legal review.

- Anti-Terrorism (BLET: 34L) – (lesson plan revision, training objectives added and videos, legal review conducted)
- Communication Skills for Law Enforcement Officers (BLET: 06G) – (lesson plan revision and training objectives added)
- Explosives and Hazardous Materials Emergencies – (lesson plan revision, training objective changes and legal review conducted)
- Firearms (BLET: 14R) – (lesson plan revision, training objective changes and legal review conducted)
- Juvenile Law and Procedures (BLET: 11V) – (lesson plan revision and training objective changes)
- Techniques of Traffic Law Enforcement (BLET: 23S) – (lesson plan revision, training objectives changes, handouts, videos and legal review conducted)

Commissioner Steve Johnson reviewed the Firearms block of instruction and requested section (c) Loss Use of gross motor skills changed to correctly say “Use of gross motor skills at loss of 145-175 BPM.” He also proposed new language for section (c) to state “Gross motor skills are enhanced for a short period of time at 145-175 BPM.”

Erin Hickey with the Department of Public Safety, Division of Adult Correction and Juvenile Justice assisted with the review on the Juvenile Law and Procedures block of instruction. She advised a Senate Bill was recently passed which caused the Juvenile Justice to review all Juvenile Law lesson plans. The plans were restructured to better correlate the jurisdiction, roles and responsibilities of the Department of Social Services and Juvenile Justice in regards to their involvement in juvenile matters. Additional changes are expected for next year based upon several requirements that were incorporated under the new Senate Bill. The Juvenile Justice Advisory Committee suggested a number of technical corrections will be addressed in the assembly for the upcoming session.

Jane Gilchrist asked for clarification if a legal review was conducted on the Communication Skills block of instruction. Ms. Fisher advised she will verify and ensure a review was done and noted on the administrative check list.

Commissioner Lee Farnsworth proposed a **motion** to accept the recommendations as presented, with a **second** from Commissioner Steve Johnson, **motion carried**.

BLET Revision Committee

On behalf of the BLET Revision Committee, Jennifer Fisher, North Carolina Justice Academy, briefed the committee on minor revisions to the BLET curriculum as approved

by the BLET Revision Committee. The revisions were added to the blocks of instruction to include adding a new handout, a lesson plan change and minor changes.

- Civil Process (BLET: 33V)
- Controlled Substances (BLET: 22T)
- Domestic Violence Response (BLET: 21T)
- Elements of Criminal Law (BLET: 05Q)
- Individuals with Mental Illness or Developmental Disabilities (BLET: 27K) – (Added (2) new videos)
- Orientation (BLET: 01Q) – (Minor revision to the Request for Accommodation handout)
- Preparing for Court and Testifying in Court (BLET: 29H) – (Added content from Responding to Victims and the Public relating to the judicial system)
- Responding to Victims and the Public (BLET: 13T) – (Added handout on Practical exercises)
- Sheriff's Responsibilities: Court Duties (BLET: 32I) – (Added handout on Practical exercises)

NC DEPARTMENT OF PUBLIC SAFETY – OSDT

On behalf of the North Carolina Department of Public Safety, Division of Adult Correction and Juvenile Justice - Office of Staff Development and Training, Felicia Banks requested approval for major revisions to the Basic Correctional Officer Training (BCO) Program. The changes include the addition of a new lesson plan on Situational Awareness (BCO 125) as a two (2) hour course.

The topic on Prison Uniform Emergency Codes was addressed. Commissioner Freeman shared the history behind the uniform emergency codes resulted from an event that occurred in 2017. Situational Awareness Training was established to better prepare staff for related events. The lesson plan was piloted successfully and a decision was made for the plan to be included within curriculum. A four (4) hour lesson plan on Situational Awareness Training has also been done with the Correctional Enterprise staff due to last year's incident. The training will become effective July 2018.

Commissioner Nathan Mizell proposed a **motion** to accept the recommendations as presented, with a **second** from Commissioner Lee Farnsworth, **motion carried**.

NC Department of Public Safety – OSDT

On behalf of the North Carolina Department of Public Safety - Office of Staff Development and Training, Felicia Banks briefed the committee on minor revisions to the Correctional Officer Physical Abilities Test (COPAT).

The Correctional Officer's Physical Abilities Test (COPAT) is now being administered at the end of Basic Training. Students will be given (2) two additional attempts to pass if they fail. They are required to pass within (10) ten months when they begin taking the test. They will not fail basic training if they do not pass the COPAT.

Prior to this request students had to pass the COPAT on a pre-hire basis as part of the screening process. Due to several concerns prison and executive staff requested this test moved toward the end of training.

SCHOOL ACCREDITATION SUBCOMMITTEE

On behalf of the School Accreditation Subcommittee, Deputy Director Michelle Schilling, Criminal Justice Standards Division, requested the accreditation of the following institutions for a period of five (5) years in accordance with 12 NCAC 09B .0200 and 12 NCAC 09C .0401 for the delivery of the Commission-Accredited Course.

Accreditation:

- Leland Police Department – SMI (New)
- Blue Ridge Community College – SMI (New)
- NC Wildlife Resources Commission - BLET (Renewal)

Standards Division received requests for the following agencies for school accreditation. Field representatives audited the agencies and reported the requirements were met for accreditation.

Commissioner Steve Johnson proposed a **motion** to accept the recommendations as presented, with a **second** from Commissioner Lee Farnsworth, **motion carried**.

School Accreditation Subcommittee Update

On behalf of the School Accreditation Subcommittee, Deputy Director Michelle Schilling, Criminal Justice Standards Division, provided a compliance update on the previously approved reaccreditation of Martin Community College BLET Program.

Martin Community College completed a one (1) year oversight with the Standards Division ensuring they were successful in the administration of their mandated commission courses. All requirements have been met after periodic audit visits were made throughout the year by field representative Alex Setzer. A request will be made for their five (5) year accreditation at the August Commission meeting if their performance continues with positive results.

General Instructor Certification Update

On behalf of the Criminal Justice Standards Division, Deputy Director Michelle Schilling provided an instructor completion update for 2017 on the General Instructor Certifications requiring instructors to complete the one hour online renewal training. There are currently four hundred eighty one (481) instructors who have not completed the required training.

All General Instructors have been informed and provided sufficient notification for the requirement to complete the online renewal course for 2017. An increasing number of instructors have surrendered their certifications due to retirements, the inability to teach,

deaths and various reasons. As of today, the Justice Academy shared thirty five (35) students have completed the training for the first part of May. These students will be crossed referenced to a list of 481 students for an updated number.

SPEED MEASURING INSTRUMENT (SMI) ADVISORY COMMITTEE

On behalf of the SMI Advisory Committee, SMI Program Administrator Jason McIntyre, Criminal Justice Standards Division, presented information from the SMI Advisory Committee related to their evaluation of new technology proposed by various manufacturers for the addition to speed measuring instruments already approved for use within North Carolina.

Only one speed measuring instrument was submitted for denial after review during the evaluation cycle for 2017-2018. The instrument was evaluated and denied under rule 1.A.1 of Appendix A of the Supplement for SMI Training due to user friendliness and reliability concerns.

Based on evaluation and consideration of this instrument, the SMI Advisory Committee requested the following denial:

- Denial of the “MPH Industries, Inc. SureShot LIDAR.”

The evaluation period began September 2017 and lasted through March 2018. The MPH Industries submitted four (4) pro-types to be field tested. Of the four (4) units, one (1) did not function properly and problems occurred when the proper information failed to appear on the display window which resulted in its failure to operate properly. It was recommended to deny the unit and for it to be returned and presented after September for the next evaluation period.

Commissioner Nathan Mizell proposed a **motion** to accept the recommendations as presented, with a **second** from Commissioner Lee Farnsworth, **motion carried**.

SMI Program Update and Raleigh Police Department Audit

On behalf of the Criminal Justice Standards Division, SMI Program Administrator Jason McIntyre provided a brief update on the status of Raleigh Police Department’s SMI Program Audit and addressed the changes the agency will have implemented to ensure compliance is continued with the program standards.

Robert Beck, Field Representative worked with Raleigh’s Police Department to address issues regarding their SMI Program. He recommended to the Training Division at the last audit on April 17, 2018 the importance to implement changes to improve and ensure their program was successful. The Training Staff made several suggestions to improve and monitor their SMI program. Mr. Beck will continue to meet with the agency for the remainder of this year to ensure they are compliant with the implementation of their new program. The following is a list of the implementations that will be made:

- 1) Develop and implement SMI student letter for each officer to receive prior to course attendance with listed duties outlined in the operation of the SMI unit, the expectations and training forms.
- 2) Develop an electronic spreadsheet of agency SMI operators audited monthly to ensure valid certification dates.
- 3) Retain digital copy of SMI operators and documentation for review to reduce inconsistency in operators or equipment and maintain an electronic/hard copy on file.
- 4) Update Operator's Spreadsheet to include a hyperlink by file on officer's name and scanned information kept on hard copy on file with student's SMI agreement letter, SMI log, SMI forms and list of expectations.
- 5) Monthly SMI Operator field spot checks to ensure operators conduct radar equipment properly to the specifications.

To ensure agencies are compliant throughout North Carolina, the Training and Standards Division implemented a new program to administer audits to all agency's SMI Programs. Five agencies will be selected on a monthly basis for audits to ensure they are compliant.

SPEED MEASURING INSTRUMENT (SMI) ADVISORY COMMITTEE

On behalf of the SMI Advisory Committee, Dan Worley, North Carolina Justice Academy, requested approval for major revisions to the Supplement for SMI Training and the RADAR Instructor and Operator manuals.

The SMI Committee recommended twelve (12) minor revisions for clarification and additions to the existing language in the Basic Principles of RADAR. The testing was for new technology found in vehicles and automobiles that can be purchased off a lot. Testing was delivered on how a radar based anti-collision system would affect a radar that was a speed measuring device.

Major revisions include the following:

- The "Cover" page for RADAR operator and instructor manuals will reflect a copyright date of June 2018 to reflect the revision date.
- Basic Principles section, page 3 will reflect the most recent revision date of June 2018 in the Academic Checklist section of the lesson plans. An example copy of the recommended language was provided for review.
- Basic Principles section, page 8, will revise the language to reflect that the most popular RADAR wavelength being utilized by North Carolina agencies is the "Ka band" device using a wavelength of 4/5 centimeters. This information simply makes the manual up-to-date with realistic expectations in the field. An example copy of the recommended language was provided for review.
- Basic Principles section, page 19, will add language that identifies large vehicles, buildings, overpasses, and bridges as being subject to cause signal fractioning, incoherence, and momentary erroneous readings on the RADAR device. While

this concept is not new and has been discussed in classes previously, we are formally adding the language to the materials. An example copy of the recommended language was provided for review.

- Basic Principles section, page 25, will add language to make teaching points more clear through revised grammar, and to remind operators of regulations that have been in place for several years now within the Supplement for SMI Training, but not specifically addressed in the instructor or operator manual. An example copy of the recommended language was provided for review.
- Basic Principles section, page 26 is simply a carryover of the language beginning on page 25. An example copy of the recommended language was provided for review.
- Basic Principles section, page 29, provides language to summarize how an operator may experience signal interference during RADAR operations, and how to interpret the interference. An example copy of the recommended language was provided for review.
- Basic Principles section, pages 29 to 30, discusses the SMI Advisory Committee's study on new automobile technology concerning RADAR based anti-collision systems and how they interact with speed measuring RADAR operated by law enforcement. Because the two devices operate off of similar electromagnetic energy concepts, there was some interest to determine if the two systems would interfere while operating simultaneously in an area. The SMI Advisory Committee conducted real-world testing of speed measuring instruments produced by various RADAR manufacturers on our approved for use list against a few different makes of vehicles that had RADAR based anti-collision systems to determine what, if any, interference or interaction the systems might have with our law enforcement speed measurement operations. Additionally, to facilitate due diligence in this study, the SMI Advisory Committee also consulted with the electromagnetic engineers who designed and built the speed measuring instruments utilized in North Carolina as part of this project to further ensure our findings were accurate and dependable. The new language on pages 29 and 30 will discuss the findings of that research and testing in a simplistic and generalized manner. An example copy of the recommended language was provided for review.
- Basic Principles section, pages 31 to 32, adds language to expound upon the anticipated effects of electromagnetic energy overdosing and speed measuring instrument operations. An example copy of the recommended language was provided for your review.

- Basic Principles section, page 34, adds language to discuss in detail how operators should perform tracking histories when interference is detected. An example copy of the recommended language was provided for review.
- Basic Principles section, page 44, corrects minor grammatical issues with the language, and adds language to simply clarify the topic of spurious readings during speed measuring instrument operations. An example copy of the recommended language was provided for review.
- Appendix C of the Supplement for SMI Training, within each instrument entry concerning the daily test for accuracy operational requirements, will revise the existing language to better clarify the post-enforcement action tuning fork testing requirements. The previous language was found to confuse operators as to the specific tuning fork required to conduct the testing appropriately, therefore, the new language is expected to clarify the procedure so as to ensure correct interpretation of our requirements. An example copy of one instrument entry was provided for review.

Commissioner Lee Farnsworth proposed a **motion** to accept the recommendations as presented, with a **second** from Commissioner Kenneth Mullen, **motion carried**.

INFORMATIONAL ITEMS

Basic Law Enforcement Training (BLET) Exam Questions Update

On behalf of the Criminal Justice Standards Division, Director Steven Combs presented a status report regarding BLET Exam Questions, failures, and the procedure put in place by his office to address current and future concerns within the field.

The increased number of student failures on the BLET exam was addressed with the concern of test questions not corresponding to the training objectives of a particular lesson plan. Executive and legal staff reviewed all questions and determined (9) nine were in error. The questions were pulled from the BLET exam and replaced for testing in April. All fatal failures dated back to January 2017 were pulled and reviewed. The review resulted with twenty-three (23) students failing the exam. Students were notified and given an opportunity to retest. Those students who did not respond, the Division will request the assistance from School Directors in locating students for a decision.

Thomas Forrest, the School Director for Pitt Community College requested consideration made to review other failures that may have resulted from the (9) questions. He suggested the possibility to validate the test to benefit students and for an increased number of test questions within blocks of instruction that contained (3) three questions in hopes to further reduce student failures. Mr. Forrest thanked the Training and Standards Division for their diligence to address all concerns made by all School Directors.

Director Steven Combs shared his desire to rescore all failures with a retest. This has not been announced publicly, and he hopes for a completion date of July 1, 2018 with notification sent to all School Directors thereafter. The Training and Standards Division revised the entire BLET exam to ensure every test question corresponded to the correct training objective and lesson plan with the documented page and paragraph to its location. The total exam will include an additional three hundred (300) questions available for exam revisions. Executive Staff, Legal Staff and a School Director from the east and west will be a part of the new review process for changes. Any major revisions implemented to the BLET lesson plans and objectives will have revised test questions to correspond. Concern was shared regarding study guides that existed and contained BLET exam questions. It was concluded due to the program not being revised since it was first implemented the questions were likely to exist.

Parameters of Long Gun Low Light Qualifications

Commissioner Steve Johnson provided the Committee with information related to the parameters of long gun low light qualification. He presented the Committee with recommended revisions to the In-Service Firearms Qualification Manual based on incorporation of low light firing with other weapons. The recommended changes apply to Shotgun Day, Shotgun Night, Rifle/Carbine – Day (does not include sniper rifles), Rifle/Carbine – Night (does not include sniper rifles), Combat Day & Night Required, and Specialty Weapons. The revisions include:

- **Shotgun Day**
Distance: To be determined by agency based on ammunition carried.
Positions: Standing and Kneeling
Minimum Rounds: 10

- **Shotgun Night**
Distance: To be determined by agency based on ammunition carried.
Positions: Standing and Kneeling
Minimum Rounds: 10
Light Conditions: Variable from total darkness to all available light.
NOTE: Handheld or gun mounted lights MAY BE USED throughout the course of fire.

- **Rifle/Carbine - Day (does not include Sniper Rifles)**
Distance: 7 yards to 50 yards (minimum - distance can be extended)
Positions: Standing, Kneeling and Prone
Minimum Rounds: 30
 - Approximately 25% fired from 15 yards.
 - Approximately 25% fired from 25 yards.
 - Approximately 25% fired from 50 yards
 - Approximately 25% fired from distances determined by agency.

- **Rifle/Carbine - Night (does not include Sniper Rifles)**
Distance: 7 yards to 50 yards (minimum - distance can be extended)
Positions: Standing, Kneeling and Prone
Minimum Rounds: 30
 - Approximately 25% fired from 15 yards.

Approximately 25% fired from 25 yards.
Approximately 25% fired from 50 yards
Approximately 25% fired from distances determined by agency.
Light Conditions: Variable from total darkness to all available light.
NOTE: Handheld or gun mounted lights MAY BE USED throughout the course of fire.

- Combat Day & Night Required
Combat courses of fire are conducted primarily with the duty handgun, but shotguns and rifles/carbines may be incorporated into the course of fire.
- Specialty Weapons
Required if carried on both day and night courses of fire. Courses of fire will be determined by the agency use, industry standards, or manufacturer's recommendations. These weapons include fully automatic or burst fire weapons, sniper rifles, gas or less lethal munitions weapons.
- The officer shall be able to get into and out of the required positions (standing, kneeling and prone) unassisted.

Changes to the rule were previously passed to allow suggested language added to the In-Service Firearms Training Manual. The language will be submitted to the Justice Academy for the implementation of the next season of Specialized Firearms Training and reflect the updated changes effective January 1, 2019.

Commissioner Steve Johnson shared two issues of concern, the reduction to rifle count and a requirement for officers when qualifying. In the previous meeting a suggestion was made to reduce the rifle count to 20 rounds due to the packaged amount. Commissioner Johnson requested the round count returned to 30 since no agency uses 20 rounds and the number of rounds should not be determined by the package. Commissioner Steve Johnson also suggested added language stating the requirement for officers to qualify unassisted due to several concerns individuals brought to his attention. He suggested the following language to state an "officer must be able to" or "shall be able to".

Commissioner Kenneth Mullen and Jane Gilchrist both agreed and suggested using "shall."

The committee agreed to the recommended changes.

With no further business, Commissioner Steve Johnson **motioned** to adjourn, with a **second** from Commissioner Nathan Mizell.

Meeting adjourned at 2:59 p.m.